

TELEFAX COVER SHEET

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THIS MESSAGE HAS 9 PAGES INCLUDING THIS SHEET

TO: Commissioner of Patents
 FAX NO.: 703-872-9306
 FROM: Kin-Wah Tong, Esq.
 DATE: September 30, 2004
 MATTER: Serial No. 09/940,034 Filed: August 27, 2001
 DOCKET NO.: ATT-027PUS (ATT 2000-0575)
 APPLICANT: Boroditsky, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

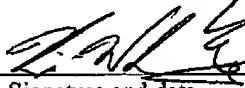
Petition
 Disclosure Statement & PTO-1449
 Priority Document
 Drawings (sheets) informal
 Petition for Extension of Time (2 copies)
 Response under 37 C.F.R. §1.111

Transmittal Letter
 Fee Transmittal (2 copies)
 Deposit Account Transaction
 Facsimile Transmission Certificate
 dated September 30, 2004

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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KIN-WAH TONG
 Name of person signing this certificate


 September 30, 2004
 Signature and date

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/940,034
		Filing Date	August 27, 2001
		First Named Inventor	Boroditsky, et al.
		Art Unit	2633
		Examiner Name	David Payne
Total Number of Pages in This Submission		Attorney Docket Number	

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Facsimile transmission sheet	
		Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KIN-WAH TONG, Reg. No. 39,400 Moser, Patterson & Sheridan, LLP
Signature	
Date	September 30, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	KIN-WAH TONG		
Signature		Date	September 30, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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306254 1

PAGE 2/9 * RCVD AT 9/30/2004 6:27:03 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:732 530 9808 * DURATION (mm:ss):03:56

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

86

Complete If Known	
Application Number	09/940,034
Filing Date	August 27, 2001
First Named Inventor	Boroditsky, et al;
Examiner Name	David Payne
Art Unit	Not Yet Assigned
Attorney Docket No.	ATT-027PUS (ATT/2000-0575)

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number

20-0782

Deposit Account Name

Moser, Patterson & Sheridan, LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	4 -20 **	= 0	X = 0
Independent Claims	4 -3 **	= 1	X 86 = 86
Multiple Dependent		X	= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid ** Reissue independent claims over original patent
1204 86	2204 43	** Reissue claims in excess of 20 and over original patent
1205 18	2205 9	
SUBTOTAL (2)		86

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 66	Surcharge - late filing fee or oath	
1052 50	2052 26	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2262 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,490	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,006	Extension for reply within fifth month	
1401 330	2401 185	Notice of Appeal	
1402 330	2402 166	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17 (q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Kin-Wah Tong, Esq.	Registration No. (Attorney/Agent)	39,400	Telephone	(732) 530-9404		
Signature				Date	September 30, 2004		

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306253-1

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

86

Complete if Known	
Application Number	09/940,034
Filing Date	August 27, 2001
First Named Inventor	Boroditsky, et al.
Examiner Name	David Payne
Art Unit	Not Yet Assigned
Attorney Docket No.	ATT-027PUS (ATT/2000-0575)

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)			
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account:				3. ADDITIONAL FEES			
Deposit Account Number <input type="text" value="20-0782"/> Deposit Account Name <input type="text" value="Moser, Patterson & Sheridan, LLP"/>				Large Entity	Small Entity	Fee Description	Fee Paid
The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
FEE CALCULATION				1051	130	Surcharge - late filing fee or oath	<input type="text"/>
				1052	50	Surcharge - late provisional filing fee or cover sheet.	<input type="text"/>
				1053	130	Non-English specification	<input type="text"/>
				1812	2,520	For filing a request for reexamination	<input type="text"/>
				1804	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
				1805	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
				1251	110	Extension for reply within first month	<input type="text"/>
				1252	420	Extension for reply within second month	<input type="text"/>
				1253	950	Extension for reply within third month	<input type="text"/>
				1254	1,480	Extension for reply within fourth month	<input type="text"/>
				1255	2,010	Extension for reply within fifth month	<input type="text"/>
				1401	330	Notice of Appeal	<input type="text"/>
				1402	330	Filing a brief in support of an appeal	<input type="text"/>
				1403	290	Request for oral hearing	<input type="text"/>
				1451	1,510	Petition to Institute a public use proceeding	<input type="text"/>
				1452	110	Petition to revive - unavoidable	<input type="text"/>
				1453	1,330	Petition to revive - unintentional	<input type="text"/>
				1501	1,330	Utility issue fee (or reissue)	<input type="text"/>
				1502	480	Design issue fee	<input type="text"/>
				1503	640	Plant issue fee	<input type="text"/>
				1460	130	Petitions to the Commissioner	<input type="text"/>
				1807	50	Processing fee under 37 CFR 1.17 (a)	<input type="text"/>
				1808	180	Submission of Information Disclosure Stmt	<input type="text"/>
				8021	40	Recording each patent assignment per property (Utimes number of properties)	<input type="text"/>
				1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
				1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
				1801	770	Request for Continued Examination (RCE)	<input type="text"/>
				1802	900	Request for expedited examination of a design application	<input type="text"/>
				Other fee (specify) _____			
				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$0)

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Kin-Wah Tong, Esq.	Registration No. (Attorney/Agent)	38,400	Telephone	(732) 530-9404
Signature			Date	September 30, 2004	

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PATENT
Atty. Dkt. No. ATT-027PUS (ATT/2000-0575)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:
Boroditsky et al.**

Serial No.: 09/940,034

Confirmation No.: 4894

Filed: August 27, 2001

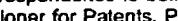
For: HIGH-CAPACITY
PACKET-SWITCHED
RING NETWORK

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: 2633

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Examiner: David Payne

CERTIFICATE OF TRANSMISSION 37 CFR 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 30, 2004. Facsimile No. (703) 872-9306.	
<u>9/30/04</u>	
Date	Signature

Dear Sir:

RESPONSE TO OFFICE ACTION DATED JUNE 30, 2004

In response to the Office Action dated June 30, 2004 (Paper No./Mail Date 4), having a shortened statutory period for response set to expire on September 30, 2004, please enter this response and reconsider the claims pending in the application for reasons discussed below.